

Upon recording mail to:  
State Engineer's Office  
901 S. Stewart Street, Suite 2002  
Carson City, NV 89701

**DOC # 763589**  
Official Records Nye County Nevada  
Deborah Beatty - Recorder  
04/15/2011 02:53:07 PM  
Requested By: NYE CO PLANNING  
Recorded By: vu  
Recording Fee: \$0.00  
Non Conformity Fee: \$0.00  
Page 1 of 8



69763201

OFFICE OF THE NEVADA STATE ENGINEER

Regarding Permit No. 69763 Certificate Number \_\_\_\_\_

This space reserved for  
county recorder's use only

AFFIDAVIT TO RELINQUISH WATER RIGHTS IN FAVOR OF USE OF WATER  
FOR DOMESTIC WELLS

State of Nevada )

: ss

County of Nye )

I, Kelly Harris, as agent for Nye County

do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. I am the ☐ owner of record

☒ agent for the owner of record who is Nye County

of ☒ all ☐ a portion of 69763 as indicated in the records of the  
check one permit/certificate no. or decreed right

Nevada State Engineer.

2. I hereby relinquish an amount of water equivalent to:

3.36 acre-feet

enter a total amount of water equal to the sum of 2.0 afa for each proposed new domestic well  
acre-feet annually from the above water right.

The water right or portion of water right relinquished was appurtenant to the land more particularly described as follows:

the Pahrump Regional Planning District as shown on DWR Map #68791 filed August 9, 2002

describe the place of use by quarter sections, section, township, range M.D.B. &M. and assessor's parcel numbers

**THE PROCESSING CHARGE OF \$250 MUST ACCOMPANY THIS AFFIDAVIT**

3. This relinquishment of water rights is for the purpose of offsetting the water withdrawn from domestic wells to homes, or for the dedication of water to newly created lots located at the place described below and reflected on the attached map: *(Describe place where water will be used with quarter sections, section, township, range, M.D.B. &M. and assessor's parcel numbers)*

See attached Exhibit A

4. I have attached a reduced, scaled, 8 1/2 X 11" copy of the tentative parcel map. The original tentative parcel map must be prepared to the standards of NRS 278.466.
5. I understand that this relinquishment must be approved by the Nevada State Engineer in order for it to become effective.
6. I am aware that, under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350.
7. I understand this relinquishment shall become effective upon the date of approval by the State Engineer. The affiant may petition the State Engineer to void this relinquishment if the final subdivision or parcel map is not recorded within 18 months after this approval. If a petition to void this relinquishment is not submitted to the State Engineer within the 18 month period, the water remains permanently reverted to the source.
8. I understand once these water rights are relinquished by recordation of a final subdivision map in the office of the county recorder of the county wherein the domestic wells are to be located, as provided in NRS 278.380 (2001), or in the case of a final parcel map as provided in NRS 278.4725 (2003), the process cannot be reversed nor can I claim said right as a water right.

Permit/Cert No. 69763

9. Within 30 days of approval of this relinquishment by the State Engineer, I shall record this Affidavit in the office of the county recorder of the county in which the final subdivision or parcel map is recorded. I shall also record this Affidavit in the office of the county recorder of the county in which the previous place of use was located, if it is not the same county.

10. I shall provide the State Engineer's Office with a copy of this recorded Affidavit within thirty (30) days of its recording with the county recorder.

DATED: This 25<sup>th</sup> day of March, 20 11.

[Signature]  
Affiant's Signature

Kelly Harris

Affiant's printed name

P.O. Box 1531

Street Address

Tonopah, NV 89049

City, State, ZIP

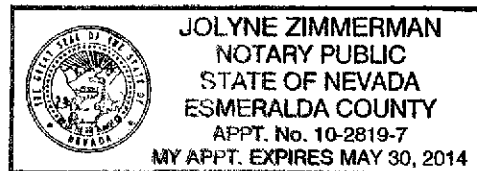
(775) 482-8181

Telephone Number

Subscribed and sworn to before me

this 25 day of March, 20 11.

[Signature]  
Notary Public Signature



Notary Stamp

APPROVED: This 5<sup>th</sup> day of April, 20 11.

[Signature]  
for State Engineer's signature

TRACY TAYLOR  
for Print State Engineer's name

## **EXHIBIT A**

Original AP #35-542-05 now known as:

AP #35-542-09 Parcel 1 of file map #591682 located within the NW¼ SW¼ of Section 33, T20S, R53E, MDB&M recorded on 6/2/04 inherited the domestic well entitlement;

AP #35-542-10 Parcel 2 of file map #587628 located within the NW¼ SW¼ of Section 33, T20S, R53E, MDB&M recorded on 4/22/04 required 1.12 acre-feet of water right dedication;

AP #35-542-11 Parcel 3 of file map #587628 located within the NW¼ SW¼ of Section 33, T20S, R53E, MDB&M recorded on 4/22/04 required 1.12 acre-feet of water right dedication; and

AP #35-542-12 Parcel 4 of file map #587628 located within the NW¼ SW¼ of Section 33, T20S, R53E, MDB&M recorded on 4/22/04 required 1.12 acre-feet of water right dedication

**SURVEYOR'S CERTIFICATE:**  
 I, JEFFERY W. PHILLIPS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, DO HEREBY CERTIFY THAT THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCES OF PETER AND FLORENCE PROVENZA, M.D., N.E. COUNTY, TOWN OF PARADISE, STATE OF NEVADA, COMPLETED ON JULY 17, 2000, ARE CORRECT AND ACCURATE. I HAVE REVIEWED THE MONUMENTS DEPICTED ON THE PLAN AND OF THE CHARACTER SHOWN, OCCUPY THE POSITION INDICATED AND ARE OF SUFFICIENT NUMBER AND DISPOSITION TO

**OWNERS CERTIFICATE:**  
 WE, PETER AND FLORENCE PROVENZA, CO-TRUSTEES OF THE PETER PROVENZA TRUST, DO HEREBY CONSENT TO THE PREPARATION OF THIS SURVEY AND TO THE PLACEMENT OF MONUMENTS AND TO THE DEDICATION OF THIS SURVEY TO THE PUBLIC. WE ALSO HEREBY GRANT TO THE PUBLIC THE RIGHT TO USE EACH PAVEMENT WITH SAND UTILITY FACILITIES FOR THE PURPOSE OF ANY EXISTING MASTER PLAN, CONVEYANCE OR RESTRICTION ON OTHER DESIGNATED LAND USE.

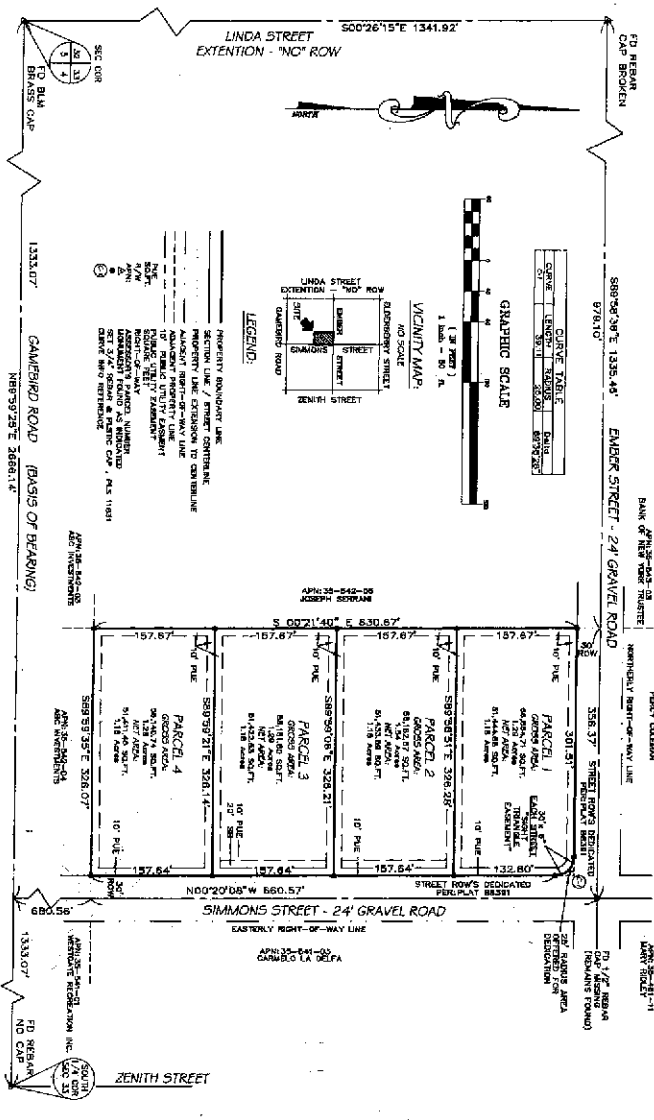
**ACKNOWLEDGMENTS:**  
 STATE OF NEVADA  
 COUNTY OF CLATSOP  
 ON THIS 20th DAY OF MAY 2004, THAT PETER PROVENZA AS CO-TRUSTEE PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC IN AND FOR THE ABOVE STATE, AND ACKNOWLEDGED TO ME THAT HE / SHE EXECUTED THE ABOVE INSTRUMENT.

**ACKNOWLEDGMENTS:**  
 STATE OF NEVADA  
 COUNTY OF CLATSOP  
 ON THIS 20th DAY OF MAY 2004, THAT FLORENCE PROVENZA AS CO-TRUSTEE PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC IN AND FOR THE ABOVE STATE, AND ACKNOWLEDGED TO ME THAT HE / SHE EXECUTED THE ABOVE INSTRUMENT.

**COUNTY SURVEYOR'S CERTIFICATE:**  
 I, Richard M. Fackland, County Surveyor, Nye County, Nevada, DO HEREBY CERTIFY THAT ON THE 22nd DAY OF MAY 2004, I DID EXAMINE THIS PARCEL MAP AS SHOWN HEREON AND FOUND THAT IT IS TECHNICALLY CORRECT.

**RECORDERS STATEMENT:**  
 SUBSEQUENT CHANGES TO THIS DOCUMENT SHOULD BE EXAMINED BY REFERENCE TO THE COMPLICATIVE INDEX MAINTAINED BY THE NYE COUNTY RECORDER.

**PARCEL MAP**  
 A SUBDIVISION OF LOT 12 AS SHOWN ON THE MAP OF PAID VARIOUS PARCELS, NYE COUNTY, NEVADA, RECORDS APR 30-00-00 SECTION 33, TOWNSHIP 20 SOUTH, RANGE 20 EAST, M.D.M.  
 PETER AND FLORENCE PROVENZA  
 JEFFERY W. PHILLIPS, PLS #11831  
 1038 ASPEN BRIDGE AVE.  
 LAS VEGAS, NEVADA 89123



**PAHRUMP REGIONAL PLANNING COMMISSION CERTIFICATE:**  
 THIS MAP IS HEREBY APPROVED BY THE PAHRUMP REGIONAL PLANNING COMMISSION. THE COMMISSION HAS REVIEWED THE MAP AND FOUND IT TO BE IN ACCORDANCE WITH THE COMMISSION'S POLICY AND THE STATE OF NEVADA. THE COMMISSION'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN THEREON.

**AGENCY APPROVALS:**  
 FOR NEVADA BEIL  
 FOR VALLEY ELECTRIC  
 DATE 05/10/04  
 DATE 05/12/04

Parcel Number 035-542-09 Prior Parc # 035-542-05 Changed 6/11/04  
Last Updated 11/17/10 By RRIVERO Created by split; Primary # 035-542-09  
Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
Legal Owner..... LAMM, DONNA TRUST Force Assmt Notice....  
Assessed Owner..... LAMM, DONNA TRUST Force Ag Message....  
Mail Address..... 401 S FRONTAGE RD #2 Force Label.....  
City, State..... PAHRUMP, NV Force Card/Aff (C/A)..  
Vesting Doc #, Date. 744692 4/28/2010 Yr, Bk, Pg 00 000 000 Corr Rq'd  
Map Document #s.....  
Description (F11=Additional Locations)  
# Dir Street or Other Description Unit #(s)  
Property Location... 3760 S SIMMONS ST  
Subdivision..... PALO VERDE RANCHOS Block... Lot...  
Town..... PAHRUMP Parcel Map ID..  
Property Name..... F#591682 P.1 1.18AC Confidential..  
Remarks.....  
Parcel # Containing Descriptive/Document Data.... Land Use: 100  
Size  
Total Acres... 1.180 Square Feet... 0  
Ag Acres..... .000 W/R Acres..... .000  
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

Parcel Number 035-542-10 Prior Parc # 035-542-05 Changed 6/11/04  
Last Updated 11/17/10 By RRIVERO Created by split; Primary # 035-542-09  
Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
Legal Owner..... PROVENZA, ELIZABETH ANN Force Assmt Notice....  
Assessed Owner..... PROVENZA, ELIZABETH ANN Force Ag Message....  
Mail Address..... 401 S FRONTAGE RD #2 Force Label.....  
City, State..... PAHRUMP, NV Force Card/Aff (C/A)..  
Vesting Doc #, Date. 744692 4/28/2010 Yr, Bk, Pg 00 000 000 Corr Rq'd  
Map Document #s.....  
Description (F11=Additional Locations)  
# Dir Street or Other Description Unit #(s)  
Property Location... 3790 S SIMMONS ST  
Subdivision..... PALO VERDE RANCHOS Block... Lot...  
Town..... PAHRUMP Parcel Map ID..  
Property Name..... F#591682 P.2 1.18AC Confidential..  
Remarks.....  
Parcel # Containing Descriptive/Document Data.... Land Use: 100  
Size  
Total Acres... 1.180 Square Feet... 0  
Ag Acres..... .000 W/R Acres..... .000  
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

Parcel Number 035-542-11 Prior Parc # 035-542-05 Changed 6/11/04  
Last Updated 11/17/10 By RRIVERO Created by split; Primary # 035-542-09  
Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
Legal Owner..... PROVENZA, FAYE Force Assmt Notice....  
Assessed Owner..... PROVENZA, FAYE Force Ag Message....  
Mail Address..... 12540 STILLWATER Force Label.....  
City, State..... RENO, NV Force Card/Aff (C/A)..  
Vesting Doc #, Date. 744692 4/28/2010 Yr, Bk, Pg 00 000 000 Corr Rq'd  
Map Document #s.....  
Description (F11=Additional Locations)  
# Dir Street or Other Description Unit #(s)  
Property Location... 3820 S SIMMONS ST  
Subdivision..... PALO VERDE RANCHOS Block... Lot...  
Town..... PAHRUMP Parcel Map ID..  
Property Name..... F#591682 P.3 1.18AC Confidential..  
Remarks.....  
Parcel # Containing Descriptive/Document Data.... Land Use: 100  
Size  
Total Acres... 1.180 Square Feet... 0  
Ag Acres..... .000 W/R Acres..... .000  
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

Parcel Number 035-542-12 Prior Parc # 035-542-05 Changed 6/11/04  
Last Updated 11/17/10 By RRIVERO Created by split; Primary # 035-542-09  
Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
Legal Owner..... PROVENZA, BRITTANY Force Assmt Notice....  
Assessed Owner..... PROVENZA, BRITTANY Force Ag Message....  
Mail Address..... P O BOX 1754 Force Label.....  
City, State..... PAHRUMP, NV Force Card/Aff (C/A)..  
Vesting Doc #, Date. 744692 4/28/2010 Yr, Bk, Pg 00 000 000 Corr Rq'd  
Map Document #s.....  
Description (F11=Additional Locations)  
# Dir Street or Other Description Unit #(s)  
Property Location... 3850 S SIMMONS ST  
Subdivision..... PALO VERDE RANCHOS Block... Lot...  
Town..... PAHRUMP Parcel Map ID..  
Property Name..... F#591682 P.4 1.18AC Confidential..  
Remarks.....  
Parcel # Containing Descriptive/Document Data.... Land Use: 100  
Size  
Total Acres... 1.180 Square Feet... 0  
Ag Acres..... .000 W/R Acres..... .000  
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

RQ-10-0024

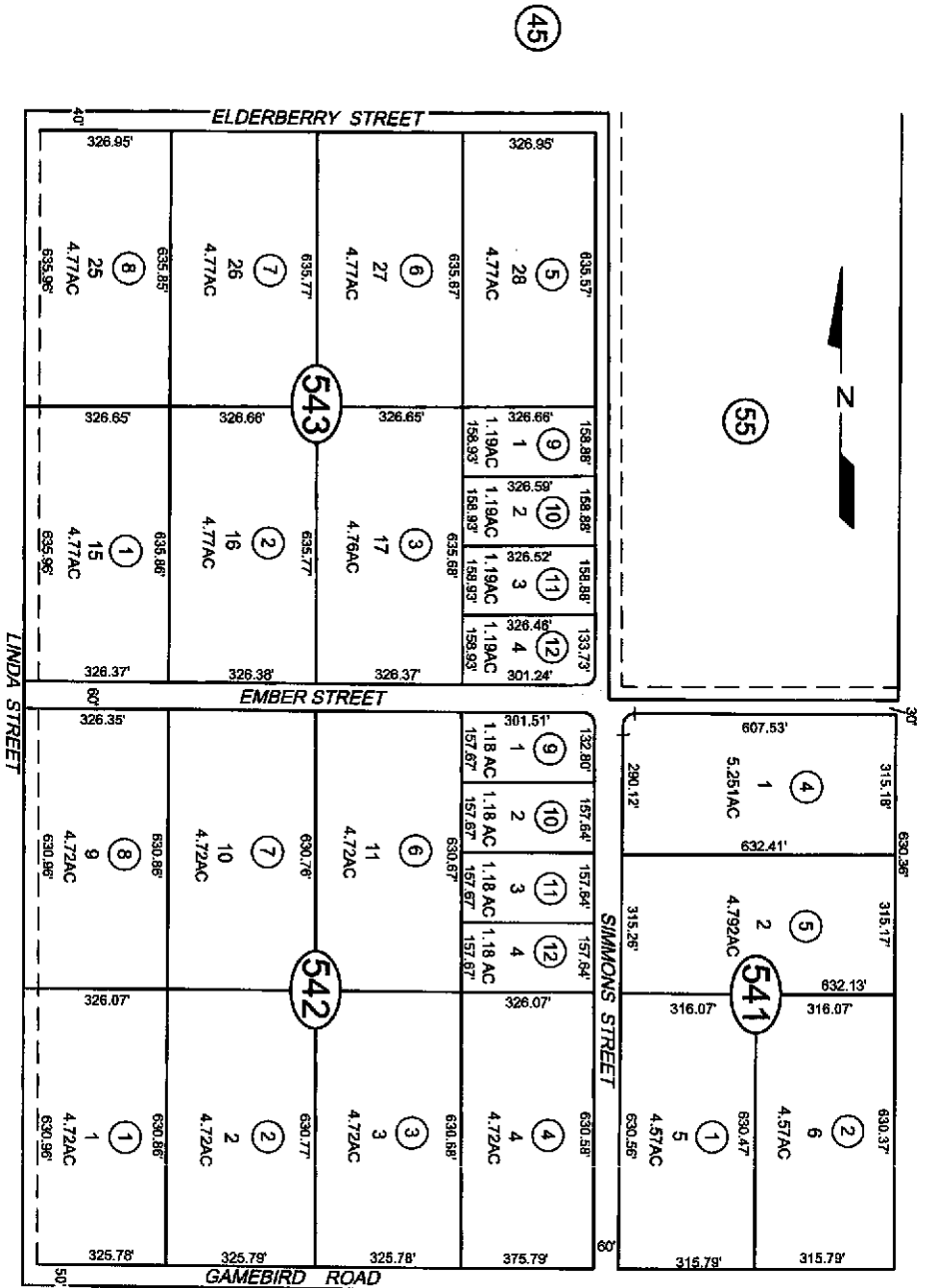
T.20S., R.53E.  
POR. OF SECTION 33

35-54



RQ-10-0024

REV. 03-31-95  
11-28-95  
01-08-02  
06-09-04  
07-13-05



APR 26/2001  
CAD FILE 02-12-01/M  
NYE COUNTY ASSESSOR

NOTE: THIS PLAT IS FOR ASSESSMENT USE ONLY AND DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

BK 40

PALO VERDE RANCHOS



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002  
Carson City, Nevada 89701-5250  
(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

April 13, 2011



Permit 69763R01

Nye County Planning Department  
Attn: Ms. Kelly Harris  
P.O. Box 1531  
Tonopah, NV 89049-1531

Re: **RQ-10-0024 - Affidavit of Relinquishment of water rights from Permit 69763  
in favor of domestic well(s).**

Dear Ms. Harris:

Enclosed are the original Affidavit of Relinquishment & documents, Nye County # RQ-10-0024, recently signed and approved by Deputy State Engineer Tracy Taylor for the relinquishment of 3.36 AFA, in the name of Nye County, of water from Permit 69763.

RQ-10-0024: 3.36 acre-feet are being relinquished to create three (3) new domestic well parcels from the parent parcel APN 35-542-05 in Pahrump, Nye County, Nevada. The new domestic well parcels are identified by the Nye County Assessor as APN 35-542-10, 35-542-11 and 35-542-12. The Date of Priority for the new domestic well(s) will be the same Date of Priority as Permit 69763; June 3, 1957. The original domestic well entitlement will be inherited by APN 35-542-09.

**To properly complete the relinquishment process, this office must receive a recorded copy of this Affidavit of Relinquishment & documents within 30 days from the date of this letter.** Nye County is to retain the original Affidavit of Relinquishment & documents. The 3.36 acre-feet of water under Permit 69763 owned by Nye County will be relinquished when a recorded copy of the enclosed Affidavit of Relinquishment & documents is returned to this office. If you have any questions, please call me at (775) 684-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "Hamilton Reed".

Hamilton Reed, PG, PE  
Staff Engineer

WHR/ml  
Enclosures